

1 BRADLEY S. MAINOR, ESQ.
2 Nevada Bar No. 7434
3 JOSEPH J. WIRTH, ESQ.
4 Nevada Bar No. 10280
5 ASH MARIE BLACKBURN, ESQ.
6 Nevada Bar No. 14712
7 **MAINOR WIRTH, LLP**
8 6018 S. Fort Apache Road, Ste. 150
Las Vegas, NV 89148-5652
Tel: (702) 464-5000
Fax: (702) 463-4440
ash@mwinjury.com
Counsel for Plaintiff

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 MACKENZIE STRABALA, an individual;

CASE NO.: 2:21-cv-01537-JAD-EJY

12 Plaintiff,

vs.

13 FARMERS INSURANCE EXCHANGE, a
foreign corporation; MID-CENTRURY
14 INSURANCE COMPANY, a domestic
stock; DOES I through XX, inclusive; and
15 ROE CORPORATIONS I through XX,
inclusive;

16 **[PROPOSED] STIPULATION AND
ORDER TO ENLARGE DISCOVERY
PLAN AND SCHEDULING ORDER
(FIRST REQUEST)**

17 Defendants.

18 Pursuant to LR IA 6-1 and LR 26-4, the parties, by and through their respective counsel of
record, hereby stipulate and request that this Court extend discovery in the above-captioned
matter by 90 days. Good cause exists to extend the remaining deadlines for the reasons explained
below.

19 **A. Discovery Completed to Date**

20 To date, Plaintiff has produced the following discovery:

- 21
- 22 • Plaintiff's Initial Disclosure of Witnesses and Production of Documents Pursuant
to FRCP 26(a)(1), served October 4, 2021;
 - 23 • Plaintiff's First Set of Requests for Admission to Defendant Mid-Century

MAINOR WIRTH, LLP
6018 S. Ft. Apache Rd., Ste. 150, Las Vegas, NV 89148
Phone: (702) 464-5000 | Fax: (702) 463-4440

Insurance Company, served November 11, 2021;

- Plaintiff's First Set of Interrogatories to Defendant Mid-Century Insurance Company, served November 11, 2021;
 - Plaintiff's First Set of Requests for Production of Documents to Defendant Mid-Century Insurance Company, served November 11, 2021.

To date, Defendants have produced the following discovery:

- Defendants Farmers Insurance Exchange's and Mid-Century Insurance Company's Production of Documents and Witnesses Pursuant to Federal Rule of Civil Procedure 26(a)(1), served October 26, 2021;

B. Discovery That Remains to Be Completed

1. Defendant Mid-Century Insurance Company's Responses to Plaintiff's First Set of Requests for Admission (due December 15, 2021)
 2. Defendant Mid-Century Insurance Company's Responses to Plaintiff's First Set of Interrogatories (due December 15, 2021)
 3. Defendant Mid-Century Insurance Company's Responses to Plaintiff's First Set of Requests for Production of Documents (due December 15, 2021)
 4. Written Discovery to Plaintiff
 5. Deposition of Plaintiff
 6. Deposition of adjustor Alison Henn (counsel for Defendants are currently obtaining dates)
 7. Deposition of FRCP 30(b)(6) Representative for Mid-Century Insurance Company (counsel for Defendants are currently obtaining dates)
 8. Additional written discovery
 9. The parties will take the depositions of any other witnesses identified through discovery.

This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient

1 time to conduct discovery.

2 **C. Reasons Why Discovery Has Not Been Completed**

3 Recently counsel met and conferred regarding an extension of time to complete the
 4 remaining discovery in this case as outlined above. Plaintiff filed her complaint on June 18, 2021.
 5 Defendants were served with Plaintiff's Complaint and Summons on July 21, 2021. Defendants
 6 filed their Notice for Removal on August 19, 2021.

7 Plaintiff's lead attorney, Ash Marie Blackburn, returned from maternity leave in
 8 September 2021. Upon her return, Ms. Blackburn attended to several pressing matters that were
 9 delayed in light of her absence, including the need for depositions in this case. Defendants'
 10 counsel has advised that he has a two-week trial currently scheduled to begin on November 29,
 11 2021. Both counsel's calendars are tight in December with prior appointments and the upcoming
 12 holidays will create limited availability in their and the witnesses' schedules.

13 Additionally, Defendants produced their Initial Production of Documents and Witnesses
 14 Pursuant to Federal Rule of Civil Procedure 26(a)(1) which contained 1,753 pages of documents.
 15 Plaintiff's counsel is currently in the process of reviewing said documents for additional
 16 discovery requests. These documents are critical in understanding pertinent issues in this case,
 17 thereby necessitating the extension of the current discovery deadlines.

18 Accordingly, counsel for the respective parties have agreed to extend the deadlines by 90
 19 days to allot sufficient time to complete the remaining depositions, written discovery, produce
 20 expert reports and expert rebuttal reports.

21 **D. Proposed Revised Discovery Schedule**

22 LR 26-4 governs modifications or extension of the discovery plan and scheduling order.
 23 Any stipulation or motion must be made no later than twenty-one (21) days before the expiration
 24 of the subject deadline, and comply fully with LR 26-4.

25 The following is a list of the current discovery deadlines and the parties' proposed
 26 extended deadlines.

27 Last Day to Amend Pleadings: 11/17/2021 2/15/2022

1	Initial Expert Disclosures:	12/17/2021	3/17/2022
2	Rebuttal Expert Disclosures:	1/16/2022	4/18/2022
3	Discovery Cut-Off:	2/15/2022	5/16/2022
4	Dispositive Motions:	3/17/2022	6/15/2022
5	Joint Pretrial Order:	4/16/2022	7/15/2022

6 This Request for an extension of time is not sought for any improper purpose or other
 7 purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient
 8 time to conduct discovery in this multi-party case and adequately prepare their respective cases
 9 for trial.

10 This is the first request for an extension of time in this matter. The parties respectfully
 11 submit that the reasons set forth above constitute compelling reasons and good cause for the short
 12 extension.

13 WHEREFORE, the parties respectfully request that this Court extend the discovery period
 14 from the current deadlines as outlined above.

15 DATED this 16th day of November, 2021.

16 **MAINOR WIRTH, LLP**

17 _____
 18 /s/ Ash Marie Blackburn
 19 BRADLEY S. MAINOR, ESQ.
 20 Nevada Bar No. 7434
 21 JOSEPH J. WIRTH, ESQ.
 22 Nevada Bar No. 10280
 23 ASH MARIE BLACKBURN, ESQ.
 24 Nevada Bar No. 14712
 25 6018 S. Fort Apache Road, Ste. 150
 26 Las Vegas, NV 89148-5652
 27 *Counsel for Plaintiff*

15 DATED this 16thday of November, 2021.

16 **THE FELDMAN FIRM**

17 _____
 18 /s/ David Feldman
 19 DAVID J. FELDMAN, ESQ.
 20 Nevada Bar No. 5947
 21 JOHN C. DORAME, ESQ.
 22 Nevada Bar No. 10029
 23 8831 West Sahara Avenue
 24 Las Vegas, Nevada 89117
 25 *Attorneys for Defendants*

26 **IT IS SO ORDERED.**

27 
 28 **U.S. MAGISTRATE JUDGE**

27 **Dated: November 16, 2021**